## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA

WESTERN DIVISION No. 5:12-CR-395-1BR

No.	5:16	-CV	-828	8-BR

CURTIS EUGENE ELLIS,	)
Petitioner,	)
v.	) ORDER
UNITED STATES OF AMERICA,	)
Respondent.	)

This matter is before the court for initial review of petitioner's 28 U.S.C. § 2255 motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings. Because petitioner has previously filed a § 2255 motion, he must seek authorization from the Court of Appeals to file the instant motion. 28 U.S.C. §§ 2244(b), 2255(h). Petitioner has filed such a motion; however, the Court of Appeals has recently placed the matter in abeyance pending a decision in Lynch v. Dimaya, No. 15-1498 (U.S.). In re: Ellis, No. 16-3088 (4th Cir.). As such, this proceeding is STAYED pending the Court of Appeals' disposition of petitioner's motion for authorization to file a second § 2255 motion.

This 14 November 2016.

W. Earl Britt

Senior U.S. District Judge